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JUN 21 2005

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Date of Fax: June 21, 2005
Transmission

Total Number of Pages: 9
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Regarding

Inventor: Timothy E. McCue et al
Title: Adjustable Hinge
Filed: April 22, 2004
Serial No: 10 / 828,589

Item

Response to Office Action dated March 22, 2005

Attachments:

Response to Office action (7 pages)
Form PTO/SB/21 - Transmittal Form (1 page)



PTO/SB/21 (09-04)

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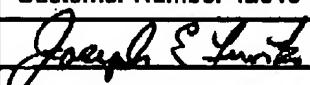
TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

		Application Number	10 / 828,589
		Filing Date	April 22, 2004
		First Named Inventor	Timothy E. McCue et al
		Art Unit	3877
		Examiner Name	Judy J. Swann
Total Number of Pages in This Submission	7	Attorney Docket Number	

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply (7)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter	
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	<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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10/828,589 - Adjustable Hinge - Timothy E. McCue & Joseph R. McCue

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JUN 21 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy E. McCue et al
Serial No.: 10/828,589
Filed: April 22, 2004
Title: Adjustable Hinge

Date: June 21, 2005
Group Art Unit: 3636
Examiner: Jackson, Andre L.

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

RESPONSE TO FIRST OFFICE ACTION

This paper is in response to an Office Action dated March 22, 2005.

COMMENTS

The Examiner first rejects claims 1, 2, 5, 6, 9 and 11-14 under 35 U.S.C. 102(b) as being anticipated by USPN 398,636 to Mallory. Continuing, the Examiner states that:

“Mallory discloses an adjustable hinge for mounting a door to a fixed structure, comprising;”

“A first plate (g) that is attached to the fixed member; a second plate (a) that is attached to the door; a hinge pin (f); and a first connecting member (m, n) associated with the first plate and having a hole through which the hinge pin passes to pivotally attach the first connecting member to the first plate, the first connecting member having an extension (h); a second connecting member (b) associated with the second plate and having a hole through which the first connecting member extension passes; wherein the hinge pin is used as an adjustment to move the first connecting member along the hinge pin and thereby adjust the position of the door with respect to the fixed member in the vertical direction; and wherein the position of the second connecting member is changed with respect to the first connecting member extension to thereby adjust the position of the door with respect to the fixed member in a horizontal direction.”

The applicant has deleted claims 1 - 10 & 13, and has amended claim 11 to merge claim 13 therein. Because of the deletion of claims and amendments to other claims the Examiner's